



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

302824



FEDERAL EXPRESS

March 2, 2006

Louis D. Fletcher, Esq.
26 Newton Avenue
Woodbury, New Jersey 08096

Re: Matteo Iron and Metal, Inc. Superfund Site

Dear Mr. Fletcher:

On February 7, 2006, a draft Settlement Agreement and Administrative Order on Consent (the "Settlement Agreement") was sent to your attention on behalf of your client, Matteo Iron and Metal Inc., in regard to the Matteo Iron and Metal, Inc. Superfund Site (the "Site"). To date, the United States Environmental Protection Agency ("EPA") has not received any communication from you on this matter.

At this juncture, EPA will have no choice but to consider proceeding with the required removal action for the Site as documented by the Action Memorandum dated September 30, 20005. Please advise EPA by March 8, 2004 of your client's intent to participate in this removal action by entering into this Settlement Agreement. If EPA does not receive written communication from you by that date, it will proceed accordingly. As a courtesy, an additional copy of the Settlement Agreement is enclosed for your review and consideration.

Such written notice shall be sent to my attention at the above address. A copy of the same should be sent to Nicholas Magriples, the On-Scene Coordinator, at the following address:

U.S. Environmental Protection Agency
2890 Woodbridge Avenue
Edison, NJ 08837-3679

Alternately, you may fax the notice to myself at 212-637-3096 and to Mr. Magriples at 732-906-6182.

As previously stated, the Settlement Agreement provides for the performance of a removal action for the Site. The Settlement Agreement will be issued pursuant to the authority of Section 106(a) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9606. The Settlement Agreement is subject to final approval by the Environmental Protection Agency and is not final until it is signed by the

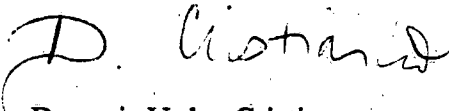
Director of the Emergency and Remedial Response Division.

In addition, by letter dated January 20, 2006, EPA mailed to you, also on behalf of your client, a Request for Information ("Request") letter issued pursuant to Section 104(e) of CERCLA, 42 U.S.C. § 9604(e). As indicated in EPA's cover letter, your client's response to the Request letter should have been postmarked or received at EPA within 30 days of your receipt of the Request letter. EPA has a record indicating that you received this Request on January 27, 2006.

Your client's failure to comply in all respects with EPA's Request letter may subject your client to an enforcement action under Section 104(e)(5) of CERCLA, 42 U.S.C. § 9604(e)(5). Such an enforcement action may include the assessment of penalties of up to \$27,500 per day for each day of continued noncompliance.

I can be reached at 212-637-3140 to discuss any of these issues. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Cristiano", is written over the typed name.

Damaris Urdaz Cristiano
Assistant Regional Counsel

Enclosures

cc: Nicholas Magriples, OSC, ERRD-Edison, without enclosures
James Matteo, Matteo Iron and Metal, Inc., with enclosures